

**Authorization to discharge under the
National Pollutant Discharge Elimination System
Permit No. DC0000361**

In compliance with the provisions of the Clean Water Act, as amended, 33 U.S.C. §1251 et seq. (the "Act"),

Department of the Army

is authorized to discharge from a facility located at

Walter Reed Army Medical Center
6900 Georgia Avenue, NW
Washington, DC 20307

to receiving waters named

Rock Creek

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

The issuance date of this permit is _____

The effective date of this permit is _____

The Expiration date of this permit is _____

Signed this day of

Jon M. Capacasa, Director
Water Protection Division
U.S. Environmental Protection Agency
Region III, Philadelphia

Part I. Effluent Limitations and Monitoring Requirements for Outfall 001

During the period beginning with the effective date and lasting through the expiration date of this permit, the permittee is authorized to discharge process water (air dryer cooling, air compressor cooling, air conditioning blow off, and steam condensate) from Outfall serial number 001 via Monitoring Point 101. This Outfall discharges to Rock Creek via a District of Columbia Municipal Separate Storm Sewer System outfall, at Latitude 38 Degrees 58' 35" North, Longitude 77 Degrees 01' 48" West. Monitoring shall be performed at Monitoring Point 101, established at Manhole 169 on the south side of Building 2, Heaton Pavilion, WRAMC. Such discharges shall be limited and monitored by the permittee as specified below:

DISCHARGE LIMITATIONS					MONITORING REQUIREMENTS (1)	
DISCHARGE PARAMETER	MASS UNITS (lbs/day)		CONCENTRATION (mg/l)		Monitoring Frequency	Sample Type
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily		
Flow -m ³ /day (mgd)	N/L	N/L	N/A	N/A	1/qtr	Estimate
pH (2)	N/A	N/A	N/A	N/A	1/qtr	Grab
BOD5	Report	Report	Monitor	Monitor	1/qtr	Grab
Total Suspended Solids	N/A	N/A	Monitor	Monitor	1/qtr	Grab
Oil and Grease	N/A	N/A	10 mg/l	10 mg/l	1/qtr	Grab
Fecal Coliform	N/A	N/A	Monitor	Monitor	1/qtr	Grab
Total Residual Chlorine (3)	N/A	N/A	Monitor	Monitor	1/qtr	Grab
Copper, Total	N/A	N/A	Monitor	Monitor	1/qtr	Grab
Zinc, Total	N/A	N/A	Monitor	Monitor	1/qtr	Grab
Cyanide, Total	N/A	N/A	Monitor	Monitor	1/qtr	Grab

There shall be no discharge of substances in amounts which float as debris, scum, oil or foam so as to form nuisances in the receiving waters. There shall be no discharge of toxic substances in toxic amounts.

(1) Monitoring shall be performed at WRAMC Manhole 169 during dry weather conditions only. Monitoring and reporting shall meet the requirements in Parts III and IV of this permit. Reporting shall be done once every two months, on a recurring and evenly-spaced schedule, no less than six weeks between bimonthly monitoring.

(2) The pH levels shall be neither less than 6.0 standard units nor greater than 8.5 standard units.

(3) No chlorine shall be discharged in detectable amounts. For the purpose of this permit, the detectable amount is defined as <0.1 mg/l.

Part II. Definitions

- a. The "monthly, quarterly, semi-annual or annual average" effluent concentration means the value calculated by computing the arithmetic mean of all the daily determinations of concentration made during any calendar-month, 3-month, 6-month, or 12-month period respectively.
- b. The "daily maximum" effluent concentration means the highest reading of any daily determination or concentration.
- c. "Daily determination of concentration" means one analysis performed on any given sample representing flow during a calendar day, with one number in mg/l or other appropriate units as an outcome.
- d. "Grab sample" means an individual sample collected in less than 15 minutes. Grab samples collected for pH shall be analyzed within 15 minutes of the time of sample collection.
- e. "I-s" is immersion stabilization - means a calibrated device immersed in effluent stream until the reading is stabilized.
- f. The "minimum" value means the lowest value measured during a 24-hour period.
- g. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.
- h. "Upset" means the exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance or careless or improper operation.

- i. "Estimated" flow means a calculated volume or discharge rate which is based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.
- j. "Measured" flow means any method of liquid volume measurement the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.
- k. "Recorded" flow, pH, temperature, etc., means any method of providing a permanent, continuous record including, but not limited to, circular and strip charts.

Part III. STANDARD CONDITIONS

A. General Conditions

1. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance shall constitute a violation of the Clean Water Act (CWA) and may result in an enforcement action; permit termination, revocation and reissuance, or modification; and denial of a permit renewal.

2. Penalties for Violations of Permit Conditions

The CWA provides that any person who violates any permit condition or limitation implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any such section, or any requirement imposed in an approved pretreatment program and any person who violates any Order issued by EPA under Section 301(a) of the Act, shall be subject to a civil penalty not to exceed \$32,500 per day for each violation, and to an action for appropriate relief including a permanent or temporary injunction.

Any person who negligently violates Sections 301, 302, 306, 307, 308, 318 or 405 of the CWA, any permit condition or limitation

implementing any such section, shall be punished by a fine of not less than \$5,000 nor more than \$50,000 per day of such violation, or by imprisonment for not more than one year or by both.

Any person who knowingly violates any permit condition or limitation implementing Section 301, 302, 306, 307, 308, 318 or 405 of the CWA, and who knows at the time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or by imprisonment of not more than 15 years, or by both.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit.

4. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- d. Information newly acquired by the Agency, including but not limited to the results of any studies, planning, or monitoring described and/or required by this permit;
- e. Facility modifications, additions, and/or expansions;
- f. Any anticipated change in the facility discharge, including any new significant industrial discharge or changes in the quantity or quality of existing industrial discharges that will result in new or increased discharges of pollutants;
- g. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination; or

- h. Any revisions of the District of Columbia's water quality standards and 40 C.F.R. § 131.36, which are the basis of the effluent limitations in this permit.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. When a permit is modified, only conditions subject to modification are reopened.

5. Toxic Pollutants

Notwithstanding Part I, above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and the permittee shall be so notified.

The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic standards within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

6. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" Section B.3 and "Upsets" Section B.4, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. District Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable District of Columbia law or regulation.

9. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

11. Transfer of Permit

In the event of any change in ownership or control of facilities from which the authorized discharge emanates, the permit may be transferred to another person if:

- a. The current permittee notifies the EPA, in writing of the proposed transfer at least 30 days in advance of the proposed transfer date;
- b. The notice includes a written agreement, between the existing and new permittee containing a specific date for transfer of permit responsibility, coverage and liability between them; and
- c. The EPA does not notify the current permittee and the new permittee of the intent to modify, revoke and reissue, or terminate the permit and require that a new application be submitted.

12. Construction Authorizations

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

13. Reopener Provision

This permit may be modified or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Section 301, 302, 304 or 307 of the CWA, in accordance with the 1987 and 2000 Chesapeake Bay Agreements and as provided pursuant to 40 C.F.R. §§ 122.62, 122.44 and § 124.5 to:

- a. Include any new or revised conditions developed to comply with any State or Federal law or regulation that is developed or promulgated subsequent to the effective date of this permit. This includes, but is not limited to: Water Quality Standards and Total Maximum Daily Loads (TMDLs);
- b. To include new or revised conditions if new information, not available at the time of issuance of this permit becomes available.

14. Endangered Species

The United States Fish and Wildlife Service (FWS) has indicated that the Hay's Spring Amphipod, a Federally listed threatened species, occurs at several locations near, or in, the District of Columbia. The National Marine Fisheries Service (NMFS) has indicated that the endangered shortnose sturgeon occurs in the Potomac River drainage and may occur within the District of Columbia. Wastewater discharges, construction, or any other activity that adversely affects a Federally listed endangered or threatened species are not authorized under the terms of this permit.

The monitoring required by this permit will allow further evaluation of potential effects on these threatened and endangered species once monitoring data has been collected and analyzed. EPA requires that the permittee submit to NMFS an annual compilation of the Discharge Monitoring Reports (DMRs), which may be used by NMFS to further assess effects on

endangered or threatened species. If these data indicate that it is appropriate, requirements of this NPDES permit may be modified to prevent adverse impacts on habitats or endangered and threatened species.

The set of DMRs for the calendar year are to be submitted by February 15 of the following year to:

National Marine Fisheries Service
Protected Resource Division
1 Blackburn Drive
Gloucester, MA 01930
Attention: Julie Crocker

The Fish and Wildlife Service
Threatened and Endangered Species Branch
Chesapeake Bay Office
Admiral Cochrane Drive
Annapolis, MD 21401
Attention: Chris Guy

DC Department of the Environment
Fisheries and Wildlife Division
51 N Street, N.E. 5th Floor
Washington, DC 20002
Attention: Hamid Karimi

B. Operation and Maintenance of Pollution Controls

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

2. Need to Halt or Reduce Activity is not a Defense.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

a. Definitions

- (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

- b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs c. and d. of this section.

c. Notice

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
- (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section D.6 (24-hour notice).

d. Prohibition of bypass.

- (1) Bypass is prohibited and EPA may take an

- (a) The bypass was avoidable to prevent loss of life, personal injury or severe property damage;
 - (b) There is no feasible alternative to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee, in the exercise of reasonable engineering judgment, could have installed adequate backup equipment to prevent a bypass during normal periods of equipment downtime and preventative maintenance; and
 - (c) The permittee submitted notices as required under paragraph c. of this section.
- (2) EPA may approve an anticipated bypass, after considering its adverse effects, if EPA determines that it will meet the three conditions listed above in paragraph d.(1) of this section.

4. Upset Conditions

- a. Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph c. of this section are met. No determination made

during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

- c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the specific cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated;
 - (3) The permittee submitted notice of the upset as required in Section D.6; and
 - (4) The permittee complied with any remedial measures required under Section A.3.
- d. Burden of Proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

5. Removed Substances

Solids, sludges, filter backwash or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent all pollutants from such materials from entering navigable waters, except as authorized in this permit.

C. Monitoring and Records

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring point specified in this permit. The monitoring point shall not be changed without notification to and approval of EPA.

2. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device.

3. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 C.F.R. Part 136, unless other test procedures have been specified in this permit.

4. Penalties for Tampering

The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

5. Reporting of Monitoring Results

Monitoring results must be reported on a DMR form (EPA No. 3320-1). Monitoring results obtained during the previous month shall be summarized and reported on a DMR form postmarked no later than the 28th day of the following month.

Duplicate copies of DMRs signed and certified as required by Part II.D.11, and all other reports required by Part II.D, Reporting Requirements, shall be submitted to the Regional Administrator and the Government of the District of Columbia at the following addresses:

US EPA Region III (3WP42)
Water Protection Division
NPDES Enforcement Branch
1650 Arch Street
Philadelphia, PA 19103

Government of the District of Columbia
District Department of the Environment
Water Quality Division
51 N Street, N.E., 5th Floor
Washington, DC 20002
Attention: Collin R. Burrell

In addition, as specified as Part III.A.14 of this permit, a complete set of monitoring results shall be sent to the US Fish and Wildlife Service.

6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 C.F.R. 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR form. Such frequency shall also be indicated.

7. Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of EPA at any time.

8. Record Contents

Records of monitoring information shall include:

- a. The date, exact place, time and methods of sampling or measurements;
- b. The individual(s) who performed the sampling and measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;

- e. The analytical techniques or methods used; and
- f. The results of such analyses.

9. Inspection and Entry

The permittee shall allow EPA, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises at reasonable times where a regulated facility or activity is located or conducted, or where records are required to be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), processes, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times for the purpose of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

D. Reporting Requirements

1. Planned Changes

The permittee shall give written notice to EPA as soon as possible of any planned physical alterations or additions to the permitted facility, or any change in chemical additives. If EPA determines that any such changes will require a permit modification, it shall so inform the permittee within thirty (30) days so the permittee can submit the appropriate permit application information.

2. Anticipated Noncompliance

The permittee shall give advance written notice to EPA of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers

This permit is not transferable to any person except after notice to EPA as specified in Section A.11. EPA may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the CWA.

4. Monitoring Reports

Monitoring reports shall be reported at the intervals and in the form specified in Section C.5.

5. Compliance Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance may include any remedial actions taken, and the probability of meeting the next scheduled requirement.

6. Twenty-Four Hour Reporting

The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance.

The following shall be included as information which must be reported within 24 hours:

- a. Any unanticipated bypass which exceeds any effluent limitation in the permit;
- b. Any upset which exceeds any effluent limitation in the permit;
- c. Violation of a maximum daily discharge limitation for any of the pollutants listed by EPA under 40 C.F.R. § 122.44(g).

EPA may waive the written report on a case-by-case basis if the oral report has been received within 24 hours and the noncompliance does not endanger health or the environment.

7. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Sections D.1, 4, 5 and 6 at the time monitoring reports are submitted. The reports shall contain the information listed in Section D.6.

8. Toxic Pollutant Reporting

The permittee shall notify EPA and the DC Department of the Environment as soon as it is known or suspected that any toxic pollutants which are not specifically limited by this permit have been discharged at levels specified in 40 C.F.R. Part 122.42(a).

9. Duty to Provide Information

The permittee shall furnish to EPA, within a reasonable time, any information which EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to EPA upon request, copies of records required to be kept by this permit.

10. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The

application shall be submitted at least 180 days before the expiration date of this permit. EPA may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. In the event that a timely and complete reapplication has been submitted and EPA is unable, through no fault of the permittee, to issue anew permit before the expiration date of this permit, the terms and conditions of this permit are automatically continued and remain fully effective and enforceable.

11. Signatory Requirements

All applications, reports or information submitted to EPA shall be signed and certified as required by 40 C.F.R. § 122.22(d).

12. Availability of Reports

Unless a business confidentiality claim is asserted pursuant to 40 C.F.R. Part 2, all reports submitted in accordance with the terms of this permit shall be available for public inspection at the offices of the D.C. Environmental Regulation Administration and the Regional Administrator. If a business confidentiality claim is asserted, the report will be disclosed only in accordance with the procedures in 40 C.F.R. Part 2. As required by the Act, permit applications, permits and effluent data shall not be considered confidential.

13. Penalties for Falsification of Reports

The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring report or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

14. Correction of Reports

If the permittee becomes aware that it submitted incorrect information in any report to EPA, it shall promptly submit the correct information.

Part IV. Special Conditions

A. Relationship to DC MS4 Permit.

This discharge shall comply with any terms or conditions of the DC MS4 permit, No. DC0000221, effective August 19, 2004, that relate to the discharge from the permittee's facility into the DC MS4. Under Part I, Section B of the MS4 permit, authorized discharges include "storm water commingled with flows contributed by process wastewater, non-process wastewater, or storm water associated with industrial activity provided such discharges are authorized under separate NPDES permits."

B. Prohibition of discharge of any hospital wastes.

There shall be no discharge of any hospital, medical or sanitary wastes of any type to any portion of this permit's collection and transmittal system to the DC MS4 storm sewer line. All such wastes shall be conveyed to the District of Columbia sanitary waste collection system for treatment.

C. Best Management Practices.

The permittee shall maintain good housekeeping practices to prevent any substances from entering the collection and pumping system. Interstitial floor 9 ½ and the quadrant wet wells shall be kept clear of any debris, waters or spills from any activities associated with the building operation and maintenance.